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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

NO. CIV. S-05-772 LKK/KJM

Plaintiff,

v.

O R D E R

CONSTANCIO CU, JR., et al.,

Defendants.

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On August 4, 2005, the court issued an order to show cause regarding dismissal to plaintiff for several procedural failures as well as a failure to appear at the hearing on defendants' motion to dismiss on August 1, 2005. The order provided that, should plaintiff elect, he could pay sanctions in the amount of three hundred dollars for his failure to timely file a status report as well as his failure to appear at the hearing. The order further provided that he would be taxed the costs of defendants' counsel's appearance at the hearing. Plaintiff has now paid the sanctions at issue.

1       Accordingly, the court hereby ORDERS that:

2       1. Counsel for defendant shall file and serve a notice,  
3 within ten (10) days, of the amount that he will charge his clients  
4 for his appearance at the August 1, 2005 law and motion calendar.

5       2. Plaintiff shall pay to counsel for defendants the amount  
6 listed therein within ten (10) days of service of the notice and  
7 file a declaration of payment with the court or challenge the  
8 amount in writing as unreasonable.

9       3. Upon receipt of the declaration of payment, the order to  
10 show cause re: dismissal will be discharged without further order  
11 of the court.

12       IT IS SO ORDERED.

13       DATED: August 11, 2005.

14                               /s/Lawrence K. Karlton  
15                               LAWRENCE K. KARLTON  
16                               SENIOR JUDGE  
17                               UNITED STATES DISTRICT COURT  
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